

107-18-05
JC10 Rec'd PTO 15 JUL 2005

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

388

Application Number

10/531,531

Filing Date

04/15/2005

First Named Inventor

Graham et al.

Art Unit

Examiner Name

Attorney Docket Number

13801

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☒

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) _____

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Remarks

☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

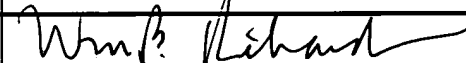
Status Letter

☒Other Enclosure(s) (please identify
below):IDS Letter; Express Mail Certificate, Return
Receipt Post Card**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Battelle Memorial Institute

Signature



Printed name

William B. Richards

Date

07-15-2005

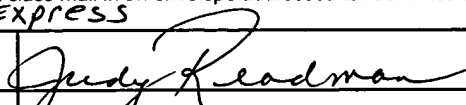
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: **Express**

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Judy Readman

Date

07-15-2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Graham et al.

Application No.: 10/531,531

Group No.

Filed: 07-15-2005

Examiner:

For: Process For Treating Non-Human Animals

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" label number ED 794591175 USDate of Deposit July 15, 2005

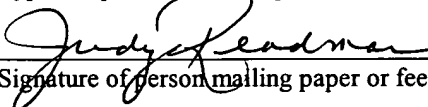
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Judy Readman

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Signature of person mailing paper or fee

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(Express Mail Certificate [8-3])

PATENT

Attorney Docket No. 13801

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Graham, Brian et al.

Serial No.: 10/531,531

Art Unit:

Filed: April 15, 2005

Examiner:

For: PROCESS FOR TREATING NON-HUMAN ANIMALS

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

1. Preliminary Statement

Applicants submit herewith patents, publications, or other information, of which they are aware that they believe may be material, as defined in 37 CFR § 1.56(b), to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 CFR § 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 CFR §1.56(b), the filing of this Information Disclosure Statement is not intended, pursuant to 37 CFR §1.97(h), to constitute an admission that any patent, publication, or other information referred to is, or is considered to be, material to the patentability of this invention. Further, pursuant to 37 CFR §1.97(g), the filing of this Information Disclosure Statement should not be construed as a statement that a search has been made or that no other material information exists. The filing of this

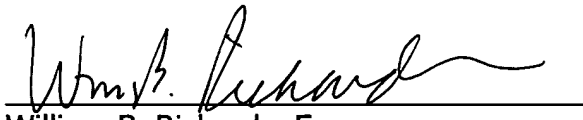
information disclosure statement shall not be construed as an admission against interest in any manner.

2. Transmitted herewith and forming a part of this Information Disclosure Statement are forms PTO/SB/08A and PTO/SB/08B (6 sheets) on which are listed all cited items of information. Also enclosed are copies of all foreign patents and non-patent literature documents.

3. Pursuant to 37 CFR § 1.97(b)(1) and (3), this Information Disclosure Statement is being filed within three months of the filing date and before the mailing date of a First Office Action on the merits. Applicants believe no fees are due and payable in connection with this submission.

The person making this statement is the practitioner who signs below on the basis of the information in the practitioner's file.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Wm B. Richards", is written over a horizontal line.

William B. Richards, Esq.
Attorney for Applicants
Reg. No. 44,301

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/531,531
Filing Date	04/15/2005
First Named Inventor	Graham et al.
Art Unit	
Examiner Name	
Attorney Docket Number	13801

Sheet 1 of 6

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	US- 4,356,528	10-26-1982	Coffee	
	A2	US- 4,961,930	10-09-1990	Perdelwitz et al.	
	A3	US- 4,973,589	11-27-1990	Barnett et al.	
	A4	US- 4,981,104	01-01-1991	Goodwin	
	A5	US- 4,995,345	02-26-1991	Friedman	
	A6	US- 5,003,756	04-02-1991	Mazzotta	
	A7	US- 5,314,123	05-24-1994	Miller	
	A8	US- 5,279,256	01-18-1994	Brite	
	A9	US- 5,314,123	05-24-1994	Miller	
	A10	US- 5,492,693	02-20-1996	Miller	
	A11	US- 5,494,674	02-27-1996	Barnett et al.	
	A12	US- 5,564,528	10-15-1996	Hall et al.	
	A13	US- 5,575,106	11-19-1996	Martin et al.	
	A14	US- 5,595,749	01-21-1997	Rascher et al.	
	A15	US- 5,626,859	05-06-1997	Fitch et al.	
	A16	US- 5,662,067	09-02-1997	Stubbs et al.	
	A17	US- 5,665,369	09-09-1997	Wedlock et al.	
	A18	US- 5,701,849	12-30-1997	Suchowski et al.	
	A19	US- 5,722,199	03-03-1998	Demarest et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	A20	EP 0 224 352 A1	06-03-1987	Booth et al.		
	A21	EP 0 523 960 A1	01-20-1993	Barnett et al.		
	A22	EP 0 523 963 A1	02-20-1993	Bowser et al.		
	A23	EP 0 523 964 A1	01-20-1993	Barnett et al.		
	A24	EP 1 029 450 A2	08-23-2000	Aa		
	A25	GB 1 393 333	05-07-1975	Krause et al.		

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Considered

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/531,531
Filing Date	04/15/2005
First Named Inventor	Graham et al.
Art Unit	
Examiner Name	
Attorney Docket Number	13801

Sheet **2** of **6****U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	B1	US- 5,758,603	06-02-1998	Vivier	
	B2	US- 5,775,261	07-07-1998	Shaw	
	B3	US- 5,786,004	07-28-1998	Hobbs	
	B4	US- 5,813,614	09-29-1998	Coffee	
	B5	US- 5,823,145	10-20-1998	Hingiss	
	B6	US- 5,881,671	03-16-1999	Riedl	
	B7	US- 5,945,111	08-31-1999	Esser	
	B8	US- 5,988,113	11-23-1999	Zhioua et al.	
	B9	US- 6,065,428	05-23-2000	Fronk	
	B10	US- 6,083,519	07-04-2000	Jeannin	
	B11	US- 6,093,695	07-25-2000	Rupar et al.	
	B12	US- 6,096,329	08-01-2000	Jeannin	
	B13	US- 6,105,571	08-22-2000	Coffee	
	B14	US- 6,125,790	10-03-2000	Breedwell	
	B15	US- 6,162,820	12-19-2000	Jeannin et al.	
	B16	US- 6,167,840	01-02-2001	White et al.	
	B17	US- 6,179,847	01-30-2001	Possum	
	B18	US- 6,221,375	04-24-2001	Howse	
	B19	US- 6,227,144	05-08-2001	Quintero	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	† ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	B20\	GB 1 569 707	06-18-1980	Coffee		
	B21\	GB 2 061 769	05-20-1981	Coffee		
	B22\	GB 2 092 025	08-11-1982	Coffee		
	B23\	WO 96/10459	04-11-1996	Noakes et al.		
	B24\	WO 98/05210	02-12-1998	Rudolph et al.		
	B25~	WO 99/66790	12-29-1999	Marcus et al.		

Examiner
SignatureDate
Considered

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(Use as many sheets as necessary)

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Application Number	10/531,531
Filing Date	04/15/2005
First Named Inventor	Graham et al.
Art Unit	
Examiner Name	
Attorney Docket Number	13801

Sheet **3** of **6****U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	C1	US- 6,277,466	05-08-2001	Hartman et al.	
	C2	US- 6,252,129	06-26-2001	Coffee	
	C3	US- 6,318,640	11-20-2001	Coffee	
	C4	US- 6,375,089	04-23-2002	Taylor et al.	
	C5	US- 6,386,195	05-14-2002	Coffee	
	C6	US- 6,399,362	06-04-2002	Pui et al.	
	C7	US- 6,446,578	09-10-2002	Irwin	
	C8	US- 6,457,470	10-01-2002	Coffee	
	C9	US- 6,531,142	03-11-2003	Rabe et al.	
	C10	US- 6,595,208	07-22-2003	Coffee et al.	
	C11	US- 6,651,589	11-25-2003	Greeson	
	C12	US- 2001/0003148 A1	06-07-2001	Coffee	
	C13	US- 2002/0007869 A1	01-24-2002	Pui et al.	
	C14	US- 2003/0205631 A1	11-06-2003	Barron et al.	
	C15	US-			
	C16	US-			
	C17	US-			
	C18	US-			
	C19	US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	C20	WO 01/74431 A2	10-11-2001	Davies et al.		
	C21	WO 02/091826 A1	11-21-2002	Bein et al.		

Examiner
SignatureDate
Considered

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/531,531
		Filing Date	04-15-2005
		First Named Inventor	Graham et al.
		Art Unit	
		Examiner Name	
Sheet 4	of 6	Attorney Docket Number	13801

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	D1	CARLTON, J.B. et al.; Electrostatic Charging of Aerial Spray Over Cotton; Transactions of the ASAE; 1995 American Society of Agricultural Engineers; Vol 38(6); pp. 1641-1645	
	D2	MOON, JAE-DUK ET AL.; A Capacitive of Electrostatic Spraying Nozzle; J. of Electrostatics; 57; 2003; pp 363-379	
	D3	POTTER, MICHAEL F.; Pet-Centered Flea Prevention and Control; http://www.uky.edu/Agriculture/Entomology/entfacts/struct/ef628.htm	
	D4	Advantage vs Frontline Which is the Better FLea Treatment; Compare Prices and Read Reviews on Bayer Advantage at Epinions.com; http://epinions.com/content_70366367364	
	D5	Celebrate a Flea-Free Summer; ADvantage Applicarion - National Pet Supply; http://national.pet.supply.com/advantage.application.php	
	D6	Bayer Received Registration on New Ectoparasite Control For Mosquitos, Ticks and Fleas on Dogs; http://216.239.37.104/search?q=cache:V99wJgxTd4kJ:www.bayerdvm.com/view/1037905	
	D7	Commonly Asked Questions about BIO-SPOT Spot-On Flea & Tick Control For Dogs; Welcome to Farnampet.com. Your Online Resource for Farnam Pet Products; http://www.farnampet.com/faqs/biospot_dog.htm	
	D8	"Farnam's Bio Spot Flea & Tick Almost Killed Our Dog; Bio Spot Flea & Tick Control For Dogs - Consumer Alert; http://elversonpuzzle.com/biospot.html	
	D9	The Biospot Label and Precautions For USe; Fleapill.com; http://fleapill.com/biospot/biospot.html	
	D10	FuturePets.com; Bio-Spot; http://www.pet-expo.com/cgi-bin/FULL_PRES.exe?PARTNUM=FA2109	

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Application Number	10/531,531
		Filing Date	04-15-2005
		First Named Inventor	Graham et al.
		Art Unit	
		Examiner Name	
Sheet 5	of 6	Attorney Docket Number	13801

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	E1	BRIDLE & BIT; Protect Horses During Mosquito Season with Mosquito Halt(TM); http://bridleandbit.com/artman/publish/article_1796.shtml	
	E2	Horse Health USA: Fly Control: Mosquito Halt Spray; http://PBShorsehealth.com/cgi-local/SoftCart.exe/flycontrol/mosquitohaltspray.html	
	E3	Erin's Edge Labradors, Supplements, and Supply Farnam Mosquito Halt For Dogs; Farnam Mosquito Halt For Dogs; http://erinsedge.zoovy.com/product/FAR002HALT	
	E4	Fleas; Flea Control in Companion Animals; http://newmanveterinary.com/Fleas.html	
	E5	Natural Flea and Tick Control Products For Animals; PreciousPets.org; Flea Free by Natural Pet Products; http://preciouspets.org/fleafree.htm	
	E6	The Cat Doctor, PC; literature / fleas; http://catdoctors.com/html/lit_fleas.html	
	E7	Medical Alert: Problem Reported With New Topical Flea Products; http://rabbit.org/chapters/san-diego/health/vet-talk/frontline.html	
	E8	NRDC: Poisons on Pets - Executive Summary; Health Hazards From Flea and Tick Products; http://www.nrdc.org/health/effects/pets/execsum.asp	
	E9	Revolution Consumer - U.S. Prescribing Info; Clinet Information About Revolution; http://revolutionpet.com/7info/	
	E10	ISU CVM Companion Animal Dermatology/Overview of Flea Control Products;	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/531,531
		Filing Date	04-15-2005
		First Named Inventor	Graham et al.
		Art Unit	
		Examiner Name	
Sheet 6	of 6	Attorney Docket Number	13801

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	F1	Product Profile; Stronghold; Active Substance - Selamectin; CVMP/665/99-Rev. 2	
	F2	Health-Based Particle-Size-Selective Smpaling; TSI Inc.; http://www.tsi.com/exposure/appnote/iti_050.htm	
	F3	EXTOXNET PIP - AMITRAZ; Extension Toxicology Network; Pesticide Information Profiles; http://ace.ace.orst.edu/info/extoxnet/pips/amitraz.htm	
	F4	PerPlace.com - Article: Amitraz; http://perplace.netscape.com/articles/artShow.asp?artID=1515	
	F5	Tick Collars; Virbac Tick Collar; Balgownie Veterinary Hospital; http://balgownieviet.com.au/store/category44_1.htm	
	F6	Preventic Tick Collars: A Flea Control; http://www.xfleas.com/prevent.html	
	F7	Program Tablets for Dogs - Novartis.com; http://www.ah.novartis.com/products/en/cab/program_tablets_for_dogs.shtml	
	F8	Program; Lufenuron; Brand Name: Program; http://marvistavet.com/html/body_program.html	
	F9	Integrated Flea Control (007); Insects, Spiders, Mice and More....; http://lancaster.unl.edu/enviro/pest/factsheets/oo7-98.htm	
	F10	Program Oral Suspension For Cats - Novartis.com; http://ah.novartis.com/products/en/cab/program_oral_suspension_for_cats.shtml	

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